

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CHARLES R. ENGLE,)
)
)
Petitioner,)
)
)
v.) 1:14CV396
)
)
UNITED STATES OF AMERICA,)
)
)
Respondent.)

ORDER

On May 13, 2014, the Recommendation of the United States Magistrate Judge was filed (Doc. 2) and notice was served on the parties pursuant to 28 U.S.C. § 636(b). On May 30, 2014, Plaintiff filed objections. (Doc. 4.)

The court has conducted a review of those portions of the Recommendation to which objection was made and has made a *de novo* determination. The court finds that the objections of Plaintiff, who remains on supervised release (Doc. 1 at 4), do not change the substance of the Recommendation, which is adopted.

IT IS THEREFORE ORDERED that this action be filed and then DISMISSED *sua sponte* without prejudice to petitioner filing under § 2255 in the Eastern District of Virginia after receiving permission from the Fourth Circuit to file a second or successive § 2255 motion.

/s/ Thomas D. Schroeder
United States District Judge

June 4, 2014